vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3503 OF 2004

B.C. Pathak ... Petitioner

V/s.

M/s.R.D.E. Co-operative Stores & Ors. ... Respondents

Mr.S.R. Nargolkar for Petitioner
None for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **MARCH 14, 2007**

P.C.:

. The Petitioner workman has challenged the award in Reference (IDA) No.127 of 1990. The Reference has been dismissed by the Labour Court. The Petitioner's services were terminated on account of his absence from duty from November 1987 till 9.2.1988. Although the Respondent employer did not hold any enquiry prior to terminating the services of the petitioner, the Respondent led evidence before the Labour Court to justify its action. The Labour Court on the basis of evidence before it has held that the Petitioner has committed a misconduct of remaining absent. Apart from this, the Petitioner chose not to lead any oral or documentary evidence in rebuttal. In such circumstances, there is no need to interfere with the finding of facts. Petition rejected.